



JS-6

CC: see G-75 attached

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

IN THE MATTER OF THE  
EXTRADITION OF

MARCO ANTONIO  
VILLAGRANA DAVILA,

A Fugitive from the Government  
of Mexico.

Case No. CV 12-5123-GW (DTB)

ORDER CERTIFYING  
EXTRADITABILITY OF MARCO  
ANTONIO VILLAGRANA DAVILA

Having conducted the extradition hearing in this matter on November 8, 2012, and having reviewed and fully considered all documents and memoranda filed by both the United States and Marco Antonio Villagrana Davila ("Davila"), the Court concludes that all of the requirements for the extradition of Davila to Mexico to face the charge of aggravated homicide in violation of the laws of Mexico at the time of the offense have been met by the United States, acting on behalf of the Government of Mexico.

The Court therefore finds and certifies to the Secretary of State as follows:

(1) This Court has jurisdiction to conduct extradition proceedings pursuant to 18 U.S.C. § 3184 and General Order No. 01-13 of the United States District Court for the Central District of California.

1           (2) This Court has jurisdiction over the fugitive Davila.

2           (3) A valid extradition treaty exists between the United States  
3 and Mexico (hereinafter the "1978 Treaty").

4           (4) At all relevant times, the 1978 Treaty was and is in full  
5 force and effect.

6           (5) A formal request for the extradition of Davila was properly  
7 presented by the Government of Mexico to the Consul General of the  
8 United States of America in Mexico.

9           (6) This request was in the form of a diplomatic note dated  
10 May 8, 2012, which was received by the United States Department of  
11 State in Washington, D.C.

12           (7) The documents submitted by the Government of Mexico in  
13 support of the extradition request, along with its diplomatic note of May  
14 8, 2012, have all been properly certified by the appropriate authorities  
15 and officials, and contain all the required information.

16           (8) The following criminal charge is now pending against  
17 Davila in Mexico: aggravated homicide in violation of the laws of  
18 Mexico, the State of Zacatecas.

19           (9) The offense for which extradition is sought is punishable  
20 under the laws of both the United States and Mexico by deprivation of  
21 liberty for a period of one year or more or by a more severe penalty, and  
22 therefore the offense for which extradition is sought qualifies as an  
23 extraditable offense under Article 2 of the 1978 Treaty.

24           (10) There is outstanding a valid warrant for the arrest and  
25 detention of Davila issued by a judicial officer of Mexico.

26           (11) That Marco Antonio Villagrana Davila, appearing before  
27 this Court, is the same Marco Antonio Villagrana Davila sought by the  
28 Government of Mexico.

(12) There is probable cause to believe (a) that the offense described above, aggravated homicide, has been committed, and (b) that Davila, the person appearing before the Court, is the person who committed it.

Based upon the foregoing findings, and pursuant to 18 U.S.C. § 3184,

THIS COURT HEREBY CERTIFIES that it has found Marco Antonio Villagrana Davila extraditable to Mexico. A warrant may issue upon the requisition of the proper authorities of the Government of Mexico for the surrender of Davila according to the terms of the 1978 Treaty.

IT IS FURTHER ORDERED that Davila is committed to the custody of the United States Marshal, to be confined without bail until his surrender to the Government of Mexico can be effectuated.

IT IS FURTHER ORDERED that the Clerk of Court forward to the Secretary of State a copy of this Certification and Order, together with a copy of the hearing transcript and copies of the documents received as evidence (including the documentary evidence comprising the Formal Extradition Papers).

Entered this 14th day of November, 2012



DAVID T. BRISTOW  
UNITED STATES MAGISTRATE JUDGE

I hereby attest and certify on 11/14/12  
that the foregoing document is a full, true  
and correct copy of the original on file in  
my office, and in my legal custody.

CLERK U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA



DEPUTY CLERK



**NOTICE PARTY SERVICE LIST****Case No.** CV 02-5123-GW (DTB) **Case Title** In the Matter of the Extradition of Villagrana Davila**Title of Document** Order Certifying Extraditability

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<input type="checkbox"/>	CA St Pub Defender (Calif. State PD)
<input type="checkbox"/>	CAAG (California Attorney General's Office - Keith H. Borjon, L.A. Death Penalty Coordinator)
<input type="checkbox"/>	Case Asgmt Admin (Case Assignment Administrator)
<input type="checkbox"/>	Chief Deputy Admin
<input type="checkbox"/>	Chief Deputy Ops
<input type="checkbox"/>	Clerk of Court
<input type="checkbox"/>	Death Penalty H/C (Law Clerks)
<input type="checkbox"/>	Dep In Chg E Div
<input type="checkbox"/>	Dep In Chg So Div
<input type="checkbox"/>	Federal Public Defender
<input type="checkbox"/>	Fiscal Section
<input type="checkbox"/>	Intake Section, Criminal LA
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<input type="checkbox"/>	PSA - Santa Ana (PSASA)
<input type="checkbox"/>	Schnack, Randall (CJA Supervising Attorney)
<input type="checkbox"/>	Statistics Clerk

<input type="checkbox"/>	US Attorneys Office - Civil Division -L.A.
<input type="checkbox"/>	US Attorneys Office - Civil Division - S.A.
<input type="checkbox"/>	US Attorneys Office - Criminal Division -L.A.
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<input type="checkbox"/>	US Bankruptcy Court
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<input checked="" type="checkbox"/>	US Marshal Service - Riverside (USMED)
<input type="checkbox"/>	US Marshal Service -Santa Ana (USMSA)
<input type="checkbox"/>	US Probation Office (USPO)
<input type="checkbox"/>	US Trustee's Office
<input type="checkbox"/>	Warden, San Quentin State Prison, CA

<input checked="" type="checkbox"/>	<b>ADD NEW NOTICE PARTY</b> (cc: BOTH E-MAILS LISTED BELOW)
1. Attn: Brittney Galloway, Department of State	
L/LEI, Room 5419	
Washington, DC 20520	
2. Department of Justice	
1400 New York Avenue	
Room 5100	
Washington, DC 20530	

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